

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

U.S. SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiffs,

against

SILVERGATE CAPITAL CORPORATION, ALAN  
J. LANE, KATHLEEN FRAHER, and ANTONIO  
MARTINO,

Defendants.

24-cv-4987

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the annexed Declaration of Adam S. Lurie and the exhibits attached thereto, and the accompanying memorandum of law in support of Antonio Martino's Motion to Dismiss, both dated January 14, 2025, the undersigned hereby moves this Court on behalf of Antonio Martino before the Honorable Judge Andrew L. Carter Jr., in Courtroom 1306 of the United State District Court for the Southern District of New York, 40 Foley Square, New York, New York, 10007, for an order granting Antonio Martino's Motion to Dismiss pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), and such other relief as the Court deems just and proper.

Executed on January 14, 2025  
New York, New York

Respectfully submitted,

Linklaters LLP

By: /s/ Adam S. Lurie

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